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joined the order, had unselfishly devoted his life to the charitable purposes of its organization, had worked continually that the moneys derived from his labors might be used by the society for such purposes, and, after he had died in full communion with the order, his heirs could recover from the order the value of his services; that as the constitution of the order provided that he might leave whenever he chose, the contract did not deprive him of his right of acquiring property, and forever incapacitate him from owning property; that the fact that for some years before his death, he was a resident of another state, and was permitted by the abbot to retain his earnings and use them for charitable purposes, did not release him from his vow of poverty, nor make such earnings his individual property, but merely constituted him agent of the order in disposing of the money in charity, which agency terminated with his death.

Negligent Communication of Smallpox.—Plaintiff in *Franklin v. Butcher*, 129 Southwestern Reporter, 428, brought an action to recover for the loss of wages of her minor son, and for money expended while he was suffering from smallpox contracted through the negligence of defendant. Plaintiff's first husband, the minor's father, was dead, but at the time she had again married. The court, in passing upon the plaintiff's right to recover such wages, held that it was not necessary that the mother should employ the son at a fixed wage to establish the relation of master and servant between them, as it grew out of the relation of the parties; that after the death of the father the duty to support the son devolved upon the mother, and she then became entitled to his wages as a corollary to the duty to support him. It was also held that if defendant negligently and carelessly communicated the disease to the son it was immaterial whether it was done willfully or intentionally, and also as to how it was done if it was negligently done. The plaintiff's husband in a companion case, *Hendricks v. Butcher*, 129 Southwestern Reporter, 431, recovered for the communication of smallpox to his entire family.

Conflicting Jurisdiction.—An intricate legal tangle is attempted to be unraveled in *Illinois Central R. Co. v. Sheegog*, 177 Federal Reporter, 756. Sheegog, as administrator, brought an action in the Union county circuit of Kentucky against the Illinois Central Railroad Company and others for wrongfully causing the death of his decedent. Petition for removal to the United States Circuit Court on the ground of separable controversy and fraudulent joinder of parties defendant for the purpose of preventing such removal was denied. The defendant Illinois Central Railroad Company thereupon filed a transcript of the proceedings in the federal court, which denied a motion by plaintiff for remand to the state court. This left the cause apparently pending in both courts, and in both courts it was prosecuted to judgment. In the state court plaintiff recovered a